

REMARKS

Claims 1-20 were examined. In this final Office Action, Claims 1-3, 5-7, 11-14 and 16-19 are rejected under 35 USC 102(b) as being anticipated by Kapp et al (US Patent No.: 5,195,133 hereinafter "Kapp"), Claims 4, 8, and 15 are rejected under 35 USC 103(a) as being anticipated by Kapp, Claim 10 is rejected under 35 USC 103(a) as being anticipated by Smithies et al (US Patent No.: 6,091,835 hereafter "Smithies") ,and Claim 20 is rejected under 35 USC 103(a) as being unpatentable over Kapp in view of Smithies.

Claim Rejections under 35 USC 102

The Applicant respectfully traverses the rejections under newly cited reference. A cited prior art reference anticipates a claimed invention under 35 USC 102 only if every element of the claimed invention is identically shown in the single reference, arranged as they are in the claim. MPEP 2131; in re Bond, 910 F.2d 831, 832, 15 USPQ2d 1566, 1567 (Fed. Cir. 1990). Each and every limitation of the claimed invention is significant and must be found in the single cited prior reference. In re Donohue, 766 F.2d 531, 534, 266 USPQ 619, 621 (Feb. Cir. 1985). As set forth more fully below, the newly cited reference Kapp fails to disclose nor suggests each and every element of the claimed invention.

Kapp states clearly in lines 27-38 of Col. 6, that the authorizing signature is captured dynamically as a series of time related X-Y coordinates during actual writing by the customer. In other words, Kapp takes a sequence of "images" over the time that the customer is writing. Kapp further states "This provides a much better record for later verification than a frozen, picture-type signature of the type produced by ordinary bit-mapping".

In contrast, Claim 1 of the instant application recites "capturing an entire image of one of the interactive displays only after the one of the interactive displays has been altered" with at least one interaction from the user in accordance with a predetermined requirement, wherein the entire image is in pixel format" (*emphasize added*). There are two subtle points in Claim 1 that are different from Kapp. First an entire image is captured only after one of the interactive displays has been altered. Kapp does not take

an entire image but a sequence of images while the writing is going on. Second, Kapp teaches the opposite by not using the ordinary bit-mapping image (Kapp actually captures the X-Y coordinates and stores them as a series of digital words).

It is believed that the two subtle differences shall be sufficient to differentiate Claim 1 from Kapp. Accordingly, it is believed that Claim 1 is allowable over the cited reference Kapp. The Applicants respectfully request the Examiner to allow Claims 1-10 in view of the arguments.

Claim 11 includes some of the limitations recited in claim 1. Further Claim 11 recites that there is an embedded module automatically triggered to capture a portion of the data in the memory space corresponding to one of the interactive displays after the one of the interactive displays has been altered. Kapp is silent on how to access the memory space. Accordingly, it is respectfully submitted that Kapp also fails to teach nor suggests Claim 11.

In view of the above stated arguments and remarks, it is now believed that the pending claims 1-20 shall be in condition for allowance over the cited references. Therefore, it is believed that the entire application is now in condition for allowance, early and favorable action is being respectfully solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplementary Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at (408)777-8873.

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E-filed

on 9/9/2007, 2006.

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Dated this 9th of September, 2007

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